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6

7 Attorneys for COUNTY OF MONTEREY

8

                    UNITED STATES DISTRICT COURT
9
                   NORTHERN DISTRICT OF CALIFORNIA
10
                        SAN JOSE DIVISION
11

12 DAN MITCHELL, acting for himself and   CASE NO.: C08-01166 RS
   others similarly situated,
13   COUNTY OF MONTEREY'S
                    Plaintiffs,   DECLINATION TO PROCEED BEFORE
14   A MAGISTRATE JUDGE
   v.   AND
15   REQUEST FOR REASSIGNMENT TO A
   COUNTY OF MONTEREY,   UNITED STATES DISTRICT JUDGE
16
                    Defendant.
17 _____/

18 COUNTY OF MONTEREY,

19   Counterclaimants

20 v.

21 DEPUTY SHERIFFS' ASSOCIATION OF
   MONTEREY COUNTY, a labor organization,
22 and DAN MITCHELL, acting for himself and
   others similarly situated, DAVID A.
23 ALLRED, JOHN C. BAIRD, JOSEPH
   ANTHONY CHAFFEE, JOHN Di CARLO,
24 EDWARD DURHAM, DENNIS ENGLISH,
   NELSON GARCIA, RUBEN A. GARCIA,
25 DUSTIN HEDBERG, ALFRED JIMENEZ,
   TIM KREBS, RICHARD D. MATTHEWS,
26 BRUCE MAUK, WILLIAM D. NAPPER,
   SHAWN O'CONNOR, DAVID R. RATTON,
27 (see next page)

28

_____
              Daniel Mitchell et al. v. County of Monterey, Case No C08-01166 RS
              COUNTY OF MONTEREY'S DECLINATION
                 TO PROCEED BEFORE MAGISTRATE
                              - 1 -

1 KENNETH A. RESOR, ROBERT Q.
   RODRIGUEZ, MICHAEL R. SHAPIRO, and
2 GARY WHEELUS and all other Plaintiffs
   who are now or may hereafter be joined in this
3 proceeding,

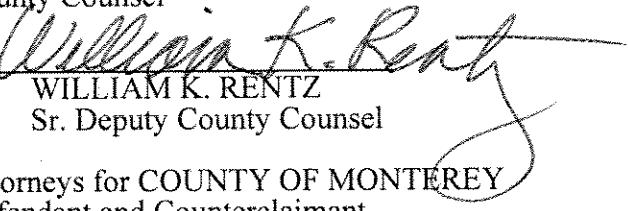4   Counter-Defendants

5 _____/

6

7   REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE:

8   The undersigned party, Defendant and Counterclaimant COUNTY OF MONTEREY,

9 hereby declines to consent to the assignment of this case to a United States Magistrate Judge for

10 trial and disposition and hereby requests the reassignment of this case to a United States District

11 Judge.

12

13 DATED: March 19, 2008.   Respectfully submitted,

14   CHARLES J. McKEE
                                              County Counsel
15   By
                                              WILLIAM K. RENTZ
16   Sr. Deputy County Counsel

17   Attorneys for COUNTY OF MONTEREY
                                              Defendant and Counterclaimant
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21 F:\RentzB\LIT\Mitchell\Pleadings\Decline Magistrate.wpd

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